

V.)	
)	
NATIONAL CREDIT UNION)	
ADMINISTRATION, <u>et al.</u> ,)	Civil Action No. 90-3945
Defendants.)	
_____)	
)	
AMERICAN BANKERS ASSOCIATION,)	
<u>et al.</u> ,)	
Plaintiffs,)	
)	
V.)	Civil Action No. 96-2312
)	
NATIONAL CREDIT UNION)	
ADMINISTRATION,)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

Defendant NCUA and defendant-intervenors Credit Union National Association and National Association of Federal Credit Unions (collectively "defendants") seek clarification of the scope of the injunction entered in accordance with the Memorandum and Order of October 25, 1996, granting plaintiffs' motions for injunctive relief in the above-captioned cases.

Specifically, defendants ask the Court's guidance as to whether the injunction:

(1) have NCUA from approving new occupational groups whose members share a common occupational bond with a credit union's core membership;

(2) bars credit unions from enrolling new members from existing (i.e. currently affiliated) occupational groups that share a common occupational bond with a credit union's core membership;

(3) bars credit unions from enrolling new members from existing unrelated occupational groups who do not share a common occupational bond with a credit union's core membership; or

(4) bars credit unions from enrolling new members from existing unrelated occupational groups approved for affiliation by NCUA prior to 1990, and thus outside the applicable six-year statute of limitations period.

Upon further consideration of the opinion of the D.C. Circuit in the FNBT case, consideration of the submissions of the parties in connection herewith, and in accordance with the proceedings in open court of October 31, 1996, it is this 31st day of October, 1996,

ORDERED, that the Order of October 25, 1996 permits the addition of new groups to occupationally organized federal credit unions, provided that the new groups share a common occupational bond with the credit union's core membership; and it is

FURTHER ORDERED, that the Order of October 25, 1996 permits the enrollment of new members from existing occupational groups that share a common occupational bond with the credit union's core membership; and it is

FURTHER ORDERED, that the Order of October 25, 1996 bars credit unions from enrolling new members of existing occupational groups that do not share a common occupational bond with a credit union's core membership, without regard to when the groups were initially approved for affiliation by NCUA, including those approved more than six years ago.

Thomas Penfield Jackson
United States District Judge